IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1060 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PATEL JAIBUNNISA ILYAS

Versus

REGIONAL PASSPORT OFFICER

Appearance:

1. Special Civil Application No. 1060 of 2003

MR AZIZ AN ALVI for Petitioner No. 1

MR NJ SHAH FOR MR DN PATEL Sr. Central Govt. Standing Counsel for Respondent No. 1

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 11/03/2003

ORAL JUDGEMENT

1. Rule. Mr.N.J. Shah for Mr. D.N. Patel learned

Sr. Central Govt. Sanding Counsel appears and waives service of notice of Rule on behalf of the respondent.

2. Heard the learned counsel for the parties. This petition has been filed for a direction to the respondent authority to make necessary correction in the passport with regard to the birth date of the petitioner as 1st August, 1961 in place of 1st May, 1961.

3. Learned counsel for the petitioner submitted that the petitioner has already moved an application before the respondent authority for this purpose but the respondent authority has rejected the same saying that they have no power or authority to make any correction in the passport which has already been issued to the petitioner, unless some order in that regard is passed by the court of competent jurisdiction.

4. In the facts and circumstances of the case, this petition is allowed with a direction to the petitioner to make a fresh application/representation for the aforesaid purpose to the respondent authority within a period of two weeks from today along with relevant material. In case, such application/representation is moved by the petitioner within stipulated period, the respondent authorities will decide the same in accordance with law, on the basis of the material on record within a period of one month thereafter. The respondent authority would be at liberty to pass appropriate orders for imposing costs for this purpose. Rule made absolute accordingly with no order as to costs.

(Kundan Singh, J.)

/JVSatwara/